

## REMARKS

Claims 1-24 and 26-29 are pending in this application. Claims 23-24 have been amended. Claim 25 has been canceled without prejudice to or disclaimer of the underlying subject matter. No new matter has been added.

In view of the foregoing amendments and following remarks, Applicants respectfully request the Examiner to reconsider and withdraw all outstanding grounds of rejection. Applicants respectfully request allowance of the application.

In paragraph 2, the specification has been objected to because of an informality. Applicants have amended the specification herein to correct the informality. Specifically, in paragraph 0003, “[s]peed banning” has been replaced with “[s]peed binning.” Applicants submit that the objection to the specification has been overcome.

Claims 27 and 28 stand rejected under 35 USC § 112, first paragraph. Specifically, the Office Action states that “[w]hile LTRAN oscillator 130 and RTRAN oscillator 135 are shown in figure 1 and mentioned [in] paragraphs 11 and 12, no where in the specification are the terms LTRAN and RTRAN associated with a process parameter.” Applicants respectfully submit that “LTRAN” is a process parameter which refers to a left sided transient and “RTRAN” is a process parameter which refers to a right sided transient. LTRAN and RTRAN are common terms well known to one of ordinary skill in the art of circuit design. Therefore, claim 27 reciting “the second oscillator is an oscillator sensitive to the LTRAN process parameter” and claim 28 reciting “the third oscillator is an oscillator sensitive to the RTRAN process parameter” are in compliance with 35 USC § 112, first paragraph. Therefore, Applicants respectfully request that the § 112 rejection be withdrawn.

Claims 23 and 25 stand rejected under 35 USC § 112, second paragraph. In claims 23 and 24, the language “third circuit” has been replaced by the “second circuit.” Applicants respectfully submit that the rejection of claims 23 and 24 under 35 USC § 112 has been overcome. Claim 25 has been canceled. Therefore, the rejection of claim 25 under 35 USC § 112 is moot and should be withdrawn.

Claims 1, 10, 21-26, and 29 stand rejected under 35 USC § 102(e) as anticipated by Stinson et al., U.S. Patent No. 6,553,545 (hereinafter *Stinson*). Claims 2-9 and 11-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stinson*, and further in view of IEEE Std. 1149.1-1990, “IEEE Standard Test Access Port and Boundary-Scan Architecture,” 1993 (hereafter “the IEEE standard”).

Applicants submit herewith a Declaration under 37 CFR § 1.131 stating that prior to *Stinson*'s effective date, June 29, 2000, Applicants conceived of the claimed invention and constructively reduced it to practice thereafter with due diligence.

The attached declaration describes in detail the conception of the present invention prior to June 29, 2000 and due diligence to the reduction of practice from prior to said date to the filing of the application of March 7, 2001. Therefore, the inventors conceived of the claimed invention prior to the effective date of *Stinson* (June 29, 2000) and diligently constructively reduced the invention to practice from before the effective date of *Stinson* until the filing date of the present application.

Consequently, *Stinson* is not an effective reference under 35 USC § 102 and 35 USC § 103. Therefore, Applicants respectfully submit that claims 1-24 and 26-29 are in condition for allowance over the applied art including *Stinson* and/or the IEEE standard.

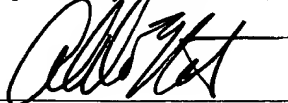
### CONCLUSION

In view of the above amendments and remarks, Applicants believe that the rejection against this application has been fully addressed and that the application is now in condition for allowance. Therefore, withdrawal of the rejection and a notice of allowance for the application are respectfully requested.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

If the Examiner believes that a personal or telephonic interview would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,



Date: **January 14, 2005**

---

Aldo Noto  
Reg. No. 35,628  
**ANDREWS KURTH LLP**  
1701 Pennsylvania Avenue, N.W.  
Suite 300  
Washington, D.C. 20006  
Telephone: (202) 662-2700  
Fax: (202) 662-2739

Attachment: Declaration under 37 CFR § 1.131